

July 22, 2024

VIA ECF

The Honorable Valerie Figueredo, U.S.M.J.
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Room 1660
New York, NY 10007

Re: GateGuard, Inc. v. Amazon.com, Inc., No. 21 Civ. 9321 (JGK) (VF)

Dear Judge Figueredo:

The parties respectfully submit this joint letter-motion to request the Court order the enclosed stipulation and proposed order staying all discovery in this action. This stay would permit the parties explore a mediated settlement of this action and to obtain resolution of their challenges to two of the Court's recent orders.

On July 11, the Court granted GateGuard's motion for leave to file a second amended complaint. ECF No 207. On July 16, the Court denied GateGuard's motion for reconsideration of its March 5 order that GateGuard had waived attorney-client privilege. ECF Nos. 155, 210. Meanwhile, the Rule 30(b)(1) and Rule 30(b)(6) depositions of Ari Teman, GateGuard's principal, were scheduled for July 24–25, 2024.

The parties have conferred and seek time to explore a negotiated resolution of this dispute in private mediation, prior to expending resources on the depositions of Mr. Teman concerning the claims in GateGuard's First Amended Complaint and discovery of GateGuard's newly amended claims. Additionally, Amazon intends to move to dismiss portions of GateGuard's prospective amended complaint, and GateGuard intends to object to the Court's March 5 and July 16 orders regarding privilege waiver.

To permit time for a mediation process to take place and for these motions to be filed, the parties have entered into the enclosed stipulation and proposed order, which they respectfully request the Court so-order.

We thank the Court for its consideration.

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Respectfully submitted,

/s/ Eden P. Quainton

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